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Dallas Schroeder Recorder, Elbert County, Co

STATE OF COLORADO	}
	} s:
COUNTY OF ELBERT	}

At a regular meeting of the Board of County Commissioners for Elbert County, State of Colorado, held at the Courthouse in Kiowa on Wednesday, the 23rd day of October, 2019, there were present:

Christopher Richardson

Chair

Grant Thayer

Vice Chair

Rick Pettit

Commissioner

Amanda Moore

Deputy Clerk to the Board

When the following proceedings, among others were had and done, to wit:

## APPROVE RESOLUTION 19-\_ 56

RZ-19-0058 BREINER REZONE. A REQUEST TO REZONE A 40.04 ACRE PROPERTY FROM AGRICULTURE (A) TO AGRICULTURE RESIDENTIAL (AR) FOR A PARCEL OF LAND LOCATED AT 28330 PIKE VIEW FARM CIRCLE, ELIZABETH.

WHEREAS, the applicant, Tom Maroney, has submitted an application (Case No. RZ-19-0058) requesting approval to rezone a 40.04 acre parcel from Agriculture (A) to Agriculture Residential (AR) for a parcel of land located at 28330 Pike View Farm Circle, Elizabeth; and

WHEREAS, the proposed project is located in Section 10, Township 9 South, Range 65 West of the 6<sup>th</sup> Principal Meridian in Elbert County; and

**WHEREAS**, the Community and Development Services Department and the Planning Commission made the following Findings related to the applications:

- 1. The proposal is in general conformance with the Elbert County Comprehensive Plan; and
- 2. The proposal meets the criteria for approval in the Elbert County Zoning Regulations; and
- 3. The Elbert County Subdivision Regulations are not applicable to this application; and
- 4. The proposed land use is compatible with existing and allowable land uses in the surrounding area; and
- 5. The proposed land use will not result in significant impact to the health, safety, and welfare of the residents and landowners of the surrounding area.

**WHEREAS**, on October 1, 2019, the Planning Commission held a public hearing on this application. At the hearing there were presentations by Staff and the applicant, and public comment was solicited. On a vote of 8 to 0 the Planning Commission forwarded their recommendations to the Board of County Commissioners for their consideration; and

**WHEREAS**, the Board of County Commissioners, having found that this hearing was properly noticed, and having reviewed the recommendations of the Planning Commission, and having reviewed the documentation of the applicant, and having listened to all public comment, and being fully advised in the premise.

**BE IT THEREFORE RESOLVED**, the Board of County Commissioners does hereby approve **RZ-19-0058 BREINER REZONE** with conditions of approval to include:

- 1. The applicant will be required to remove the Public Hearing sign within seven (7) days of a decision by the Board of County Commissioners, and
- 2. The rezone request will not become effective until all fees are paid, conditions of approval are met, the Rezone Exhibit is recorded, and
- 3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval.

Upon a motion duly made and seconded, the foregoing resolution was adopted by the following vote:

CHRISTOPHER RICHARDSON

GRANT THAYER

RICK PETTIT

ATTEST: AMANDA MOORE

**DEPUTY COUNTY CLERK** 

BY: WYWAAWYYOOSE

Deputy Clerk to the Board